

KRISTIAN E WHITE
11 GRANDVIEW CIRCLE SUITE 200
CANNONSBURG, PA 15317-6510

BOOK 0734 PAGE 0221

DECLARATION OF OIL AND GAS NOTICE

(Tax Map 5, Franklin District, Marshall County, West Virginia)

The undersigned hereby declares:

(1) The undersigned is the owner (or lessee) of one or more coal seams or workable coal beds as those terms are defined in Section One, Article Six, Chapter Twenty-two (Section 22-6-1) of the Code of West Virginia.

(2) The coal seam(s) or workable coal bed(s) owned or leased partly or wholly by the undersigned lie(s) under the surface of lands described in Exhibit A attached hereto and made a part hereof.

(3) The undersigned desires to be given all notices of oil and gas operations provided by Sections Twelve, Thirteen, Fourteen, Twenty-three and Thirty-six of Article Six, Chapter Twenty-two (Sections 22-6-12; 22-6-13; 22-6-14; 22-6-23; and 22-6-36) of the Code of West Virginia, addressed as follows:

CONRHEIN COAL COMPANY CONSOLIDATION COAL COMPANY
CONSOL PENNSYLVANIA COAL COMPANY LLC McELROY COAL COMPANY
RESERVE COAL PROPERTIES COMPANY CNX LAND RESOURCES INC.

C/O LEATHERWOOD, INC.
1000 CONSOL ENERGY DRIVE
CANONSBURG, PA 15317-6506

IN WITNESS WHEREOF, Conrhein Coal Company, a Pennsylvania corporation, has caused its corporate name to be subscribed hereto this 9 day of MAY, 2011, by **William Gillenwater**, its **Assistant Manager**, by authority duly given.

CONRHEIN COAL COMPANY
a Pennsylvania corporation:

By: William Gillenwater
Its: Assistant Manager

IN WITNESS WHEREOF, Consolidation Coal Company, a Delaware corporation, has caused its corporate name to be subscribed hereto this 9 day of MAY, 2011, by **William Gillenwater**, its **Vice President**, by authority duly given.

CONSOLIDATION COAL COMPANY
a Delaware corporation:

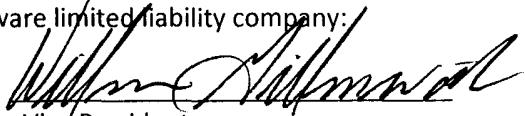
By: William Gillenwater
Its: Vice President

Jan Pest
MARSHALL County 03:47:16 PM
Instrument No 1305598
Date Recorded 06/02/2011
Document Type O&G
Pages Recorded 6
Book-Page 734-221
Recording Fee \$6.00
Additional \$6.00

BOOK 0734 PAGE 222

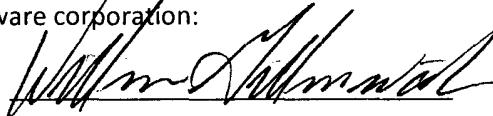
IN WITNESS WHEREOF, CONSOL Pennsylvania Coal Company LLC, a Delaware limited liability company, has caused its corporate name to be subscribed hereto this 9 day of MAY, 2011, by **William Gillenwater**, its **Vice President**, by authority duly given.

CONSOL PENNSYLVANIA COAL COMPANY LLC
a Delaware limited liability company:

By: 
Its: Vice President

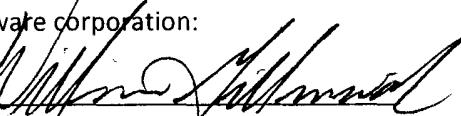
IN WITNESS WHEREOF, Reserve Coal Properties Company, a Delaware corporation, has caused its corporate name to be subscribed hereto this 9 day of MAY, 2011, by **William Gillenwater**, its **Vice President**, by authority duly given.

RESERVE COAL PROPERTIES COMPANY
a Delaware corporation:

By: 
Its: Vice President

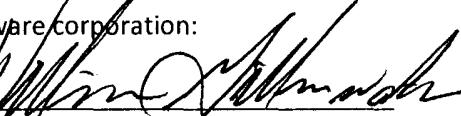
IN WITNESS WHEREOF, McElroy Coal Company, a Delaware corporation, has caused its corporate name to be subscribed hereto this 9 day of MAY, 2011, by **William Gillenwater**, its **Vice President**, by authority duly given.

MCELROY COAL COMPANY
a Delaware corporation:

By: 
Its: Vice President

IN WITNESS WHEREOF, CNX Land Resources Inc., a Delaware corporation, has caused its corporate name to be subscribed hereto this 9 day of MAY, 2011, by **William Gillenwater**, its **Vice President**, by authority duly given.

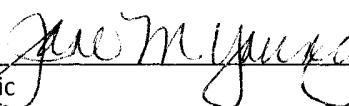
CNX LAND RESOURCES INC.
a Delaware corporation:

By: 
Its: Vice President

NOTE: PLEASE PROPERLY INDEX THIS DOCUMENT (1) UNDER CONSOLIDATION COAL COMPANY, CONSOL PENNSYLVANIA COAL COMPANY, RESERVE COAL PROPERTIES COMPANY, CONRHEIN COAL COMPANY, MCELROY COAL COMPANY, AND CNX LAND RESOURCES INC. AS A GRANTOR, AND (2) UNDER THE NAMES OF EACH OF THE INDIVIDUAL SURFACE OWNER NAMES LISTED ON THE ATTACHED EXHIBIT A AS GRANTORS, ACCORDING TO LAST NAME AND/OR ENTITY NAME.

COMMONWEALTH OF PENNSYLVANIA
COUNTY OF **WASHINGTON**

Before me, JANE M. YOUNG, a Notary Public, on this day personally appeared **William Gillenwater**, known to me to be the person whose name is subscribed to the foregoing instrument, and known to be the **Assistant Manager** of CONRHEIN COAL COMPANY, a PENNSYLVANIA corporation, and acknowledged to me that he executed said instrument for the purposes therein expressed as the act of said company. Given under my hand and seal of office this

9 day of MAY, 2011. 

COMMONWEALTH OF PENNSYLVANIA
Notarial Seal
(SE) Jane M. Young, Notary Public
Cecil Twp., Washington County
My Commission Expires June 20, 2013
Member, Pennsylvania Association of Notaries

My Commission expires _____

COMMONWEALTH OF PENNSYLVANIA
COUNTY OF **WASHINGTON**

Before me, JANE M. YOUNG, a Notary Public, on this day personally appeared **William Gillenwater**, known to me to be the person whose name is subscribed to the foregoing instrument, and known to be the **Vice President** of CONSOLIDATION COAL COMPANY, a DELAWARE corporation, and acknowledged to me that he executed said instrument for the purposes therein expressed as the act of said company. Given under my hand and seal of office this

9 day of MAY, 2011. 

(SEAL) COMMONWEALTH OF PENNSYLVANIA
Notarial Seal
(SE) Jane M. Young, Notary Public
Cecil Twp., Washington County
My Commission Expires June 20, 2013
Member, Pennsylvania Association of Notaries

My Commission expires _____

COMMONWEALTH OF PENNSYLVANIA

COUNTY OF WASHINGTON

Before me, JANE M. YOUNG, a Notary Public, on this day personally appeared **William Gillenwater**, known to me to be the person whose name is subscribed to the foregoing instrument, and known to be the **Vice President** of CONSOL PENNSYLVANIA COAL COMPANY LLC, a DELAWARE limited liability company, and acknowledged to me that he executed said instrument for the purposes therein expressed as the act of said company. Given under my hand and seal of office this 9 day of MAY, 2011.

(SEAL)

COMMONWEALTH OF PENNSYLVANIA

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|--|
| Notarial Seal |
| Jane M. Young, Notary Public |
| Cecil Twp., Washington County |
| My Commission Expires June 20, 2013 |
| Member, Pennsylvania Association of Notaries |



Notary Public

My Commission expires _____

COMMONWEALTH OF PENNSYLVANIA

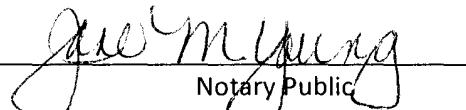
COUNTY OF WASHINGTON

Before me, JANE M. YOUNG, a Notary Public, on this day personally appeared **William Gillenwater**, known to me to be the person whose name is subscribed to the foregoing instrument, and known to be the **Vice President** of RESERVE COAL PROPERTIES COMPANY, a DELAWARE corporation, and acknowledged to me that he executed said instrument for the purposes therein expressed as the act of said company. Given under my hand and seal of office this 9 day of MAY, 2011.

(SEAL)

COMMONWEALTH OF PENNSYLVANIA

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| Notarial Seal |
| Jane M. Young, Notary Public |
| Cecil Twp., Washington County |
| My Commission Expires June 20, 2013 |
| Member, Pennsylvania Association of Notaries |



Notary Public

My Commission expires _____

COMMONWEALTH OF PENNSYLVANIA

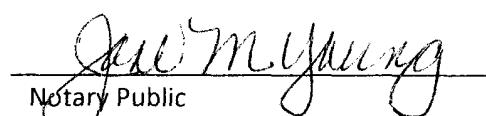
COUNTY OF WASHINGTONJANE M. YOUNG

Before me, JANE M. YOUNG, a Notary Public, on this day personally appeared **William Gillenwater**, known to me to be the person whose name is subscribed to the foregoing instrument, and known to be the **Vice President** of MCELROY COAL COMPANY, a DELAWARE corporation, and acknowledged to me that he executed said instrument for the purposes therein expressed as the act of said company. Given under my hand and seal of office this 9 day of MAY, 2011.

(SEAL)

COMMONWEALTH OF PENNSYLVANIA

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|--|
| Notarial Seal |
| Jane M. Young, Notary Public |
| Cecil Twp., Washington County |
| My Commission Expires June 20, 2013 |
| Member, Pennsylvania Association of Notaries |



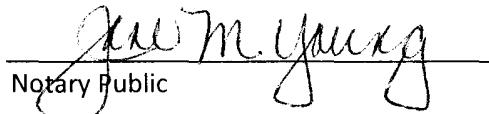
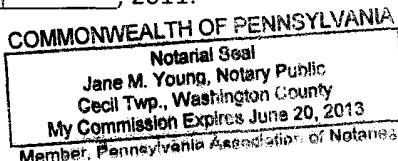
Notary Public

My Commission expires _____

COMMONWEALTH OF PENNSYLVANIA
COUNTY OF WASHINGTON

Before me, JANE M. YOUNG, a Notary Public, on this day personally appeared **William Gillenwater**, known to me to be the person whose name is subscribed to the foregoing instrument, and known to be the **Vice President** of CNX LAND RESOURCES INC., a DELAWARE corporation, and acknowledged to me that he executed said instrument for the purposes therein expressed as the act of said company. Given under my hand and seal of office this 9 day of MAY, 2011.

(SEAL)



Jane M. Young
Notary Public

My Commission expires _____

This Document Prepared By:

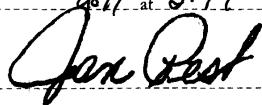
Andrew S. Graham
WV Bar No. 9664
Steptoe & Johnson PLLC
1085 Van Voorhis Road
PO BOX 1616
Morgantown, WV 26507
(304) 598-8000

EXHIBIT A - SURFACE TRACTS (MCELROY MINE)
Tax Map 5, Franklin District, Marshall County, West Virginia

| Tax Map | Parcel | Last Name | First Name | Street Address | City | State | Zip | Assessment Description | Reference |
|---------|--------|------------------------------|----------------|--------------------------|------------|-------|-------|------------------------------|------------|
| 5 | 1 | Consolidation Coal Company | | 1000 Consol Energy Drive | Canonsburg | PA | 15317 | 70.41 Ac Taylors Ridge | DB 387/363 |
| 5 | 2 | Consolidation Coal Company | | 1000 Consol Energy Drive | Canonsburg | PA | 15317 | 138.97 Ac Taylors Ridge | DB 387/363 |
| 5 | 3 | Ohio Power Company | | 301 Cleveland Ave SW | Canton | OH | 44702 | 147.13 Ac Hill Land | DB 403/103 |
| 5 | 4 | Sanchez | Geneva Bassett | PO Box 483 | Tome | NM | 87060 | 133.601 Ac. Fish Creek O & G | DB 74/20 |
| 5 | 6 | Ohio Power Company | | 301 Cleveland Ave SW | Canton | OH | 44702 | 142.741 Ac. Flyash Land | DB 403/103 |
| 5 | 7 | Franklin Real Estate Company | | 1 Riverside Plaza | Columbus | OH | 43215 | 16 Ac Taylors Ridge | DB 649/122 |
| 5 | 9 | Franklin Real Estate Company | | 1 Riverside Plaza | Columbus | OH | 43215 | 19.93 Ac. Taylors Ridge | DB 649/122 |
| 5 | 9.1 | McElroy Coal Company | | 1000 Consol Energy Drive | Canonsburg | PA | 15317 | 25.49 Ac. Taylors Ridge | DB 628/369 |
| 5 | 11 | Franklin Real Estate Company | | 1 Riverside Plaza | Columbus | OH | 43215 | 61.42 Ac. Taylors Ridge | DB 675/144 |
| 5 | 11.1 | Franklin Real Estate Company | | 1 Riverside Plaza | Columbus | OH | 43215 | 15.35 Ac. Taylors Ridge | DB 649/122 |
| 5 | 12 | Franklin Real Estate Company | | 1 Riverside Plaza | Columbus | OH | 43215 | 165 Ac. Fish Creek | DB 649/144 |

STATE OF WEST VIRGINIA, MARSHALL COUNTY, SCT.:

I, JAN PEST, Clerk of the County Commission of said County, do hereby certify that the annexed writing, bearing date on the 9th day of May, 2011, was presented for and by me, admitted to record in my office upon the above certificate as to the parties therein named this 2nd day of June, 2011, at 3:47 o'clock P.M.

TESTE:  Clerk.